

REMARKS

This Response is submitted in reply to the Non-Final Office Action dated May 12, 2009. Claims 3 and 33 have been amended. No new matter has been added. Please charge deposit account 02-1818 for any fees due in connection with this Response.

The Office Action rejected Claims 33 to 38 under 35 U.S.C. § 112, first paragraph, because:

the specification, while being enabling for the extension portion having a pivoting handle (in regards to claim 33) and the lateral guide elements includes a position retainer extending from a position retaining supporting disk (in regards to claim 34), does not reasonably provide enablement for the lateral guide having a pivoting handle includes a position retainer extending from a position retaining supporting disk (in regards to claim 34).

Applicant has amended Claim 34 to recite, "wherein the lateral guide elements include a position retainer extending from a position retaining supporting disk."

Accordingly, Applicant respectfully submits that Claims 33 to 38 are enabled and respectfully requests that the rejection of Claims 33 to 38 under 35 U.S.C. § 112, first paragraph, be reconsidered and withdrawn.

The Office Action rejected Claim 3 under 35 U.S.C. § 112, second paragraph, as being indefinite because Claim 3 depends from itself.

Applicant has amended Claim 3 to depend from Claim 1. Accordingly, Applicant respectfully requests that the rejection of Claim 3 under 35 U.S.C. § 112, second paragraph, be reconsidered and withdrawn.

An earnest endeavor has been made to place this application in condition for formal allowance and such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

K&L GATES LLP

BY H A
Holby Abern
Reg. No. 47,372
Customer No. 24573

Dated: July 13, 2009